

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 3-15-72

D. C. Form No. 106A Rev.

9

TITLE OF CASE		ATTORNEYS						
Marvin A. Still vs Missouri Pacific Railroad Co., a corporation		For plaintiff: Booth & Jay Frank R. Hickman 825 Wright Bldg., Tulsa, Okla. 74103 (582-9773)						
		For defendant: William K. Powers, Dyer, Powers and Marsh 1501 Fourth National Bldg., Tulsa, Okla. 74119 (587-6141)						
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 2/12-1-71	Clerk		11-9-71	Powers	15	00		
			11-11-71	C. D. No. 22			15	00
J.S. 6 mailed 6-1-72	Marshal							
Basis of Action: Personal injuries - train	Docket fee							
	Witness fees							
Action arose at:	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-9-71	Petition for removal from District Court of Tulsa County, Ok., filed. g	
11-9-71	Bond on removal, filed - General Insurance Co. of America, surety. g	
11-9-71	Notice of filing petition and bond for removal, filed. g	
11-18-71	Special Appearance of the Deft., Missouri Pacific Railroad Co., Motion to Quash Service of Summons, and Objections as to Venue, filed. v <i>Mailed</i>	
11-18-71	Brief in Support of Special Appearance, Motion and Objections to Venue, <i>Mailed</i> filed. v	
11-18-71	Affidavit of William K. Powers, filed. v <i>attached to above Motion (mailed)</i>	
11-18-71	Acknowledgement of Removal, filed. v	
11-23-71	Copy of Letter dated 11-22-71 from J. D. to Frank R. Hickman and pltf atty., stating that pltf is to respond to the Special Appearance of Deft., Motion to Quash service of Summons and Objections as to Venue with supporting brief within 10 days from the above date. Filed. r	
11-24-71	Pltfs' Response w/affidavit to the affidavit and Motion of deft. filed. r <i>Mailed</i>	
11-24-71	Pltfs' Brief in support, filed. r <i>Mailed</i>	
12-7-71	Defts' Brief and Evidence in support of special appearance and plea to Jurisdiction and Venue and in reply to brief of pltf., with affidavit of William K. Powers, filed. r <i>Mailed</i>	
12-8-71	Order filed, the court elects to conduct an evidentiary hearing to ascertain if Deft has any property or may be found in Tulsa County within the meaning and intent of 12 Okl. Stat. Ann. §137. <u>Such hearing is set on December 20, 1971 at 3:00 P.M., filed. (FD-J)r</u> (copies mailed to attorneys)	
12-13-71	Copy of letter dated 12-9-71 from J. D. to both attys in case. Court desires that the attys immediately confer as to whether there is present in the case an issue as to service of summons on the Deft and if so to be prepared thereon for the hearing set on 12-20-71 at 3:00 P.M. Filed. r	
12-20-71	Case called for evidentiary hearing. Parties represented. Court overrules the defts Motion. Counsel for Deft to prepare formal order within 20 days. (FD-J)r	
12-23-71	Order filed, the Deft's Special Appearance, Motion and Objections to Venue is denied and overruled and deft is hereby granted 20 days from this date to file answer, Filed. (FD-J)r (copies mailed to attys)	
1-7-72	Answer of def., filed. rm	
2-18-72	Case set for Pre-Trial on Wednesday, March 15, 1972 at 10:00 A.M. (FD-J)r	
3-15-72	Pre-Trial held. Pltf is granted a <u>Jury Trial</u> . No P.T. Order was requested by the Court. Court directs that this case will be on next Jury Assignment. (FD-J)r	
3-29-72	Case set for Jury Trial on Monday, 5-22-72 at 9:30 A.M. (FD-J)r	
4-24-72	Deposition of Marvin A. Still, on behalf of the Deft., taken before Thomas G. Bloxom on 4-14-72 with fees of \$45.00, filed. v	
4-27-72	Deft's Motion for S/J, filed. r <i>Mailed</i>	
4-27-72	Brief in support of deft's Motion for S/J, filed. r <i>Mailed</i>	
5-1-72	Copy of letter dated 4-28-72 from J. D. to Robt Booth & Mr. Hickman, stating that Pltf is to respond to Motion to S/J with supporting brief on or before 5-8-72, filed. r	
5-2-72	MINUTE ORDER: Pltf granted extension til 5-15-72 to file Response with Brief to Defts' Motion to Dismiss, (FD-J)r (atts notified by letter)	
5-11-72	MINUTE ORDER: Pltf granted further ext to 5-18-72 to Respond to Defts' Mot for S/J. No further ext will be granted. (FD-J)r (notified by letter to attys)	
5-22-72	Dismissal w/prej. by pltf. and order of dismissal w/prej. (FD-J)rm <i>filed and entered</i>	